

Message Text

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ORIGIN ARA-10

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R 231633Z DEC 75
FM SECSTATE WASHDC
TO AMEMBASSY MANAGUA

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E.O. 11652: N/A

TAGS: BPRO, EINV, NU

SUBJECT: GAS POPULAR COMPLAINT AGAINST GON, ESSO

REFS: A) MANAGUA 4568; B) STATE 276844; C) MANAGUA 4371

1. RALPH MOYER, HEAD OF GAS POPULAR, HAS WRITTEN TO
SENATOR THURMOND TO ASK FOR ASSISTANCE IN HIS DISPUTE WITH
THE INSTITUTO DE FOMENTO NACIONAL (INFONAC). LETTER TO
THURMOND REPEATED CHARGE MADE BY MOYER EARLIER AND REPORTED
IN REFTEL C, THAT ACTIONS OF INFONAC, IN CONJUNCTION WITH
THOSE OF THE CORPORACION NICARAGUENSE DE INVERSIONES (CNI)
AND ESSO, CONSTITUTE "DE FACTO DISPOSSESSION" OF GAS
POPULAR'S ASSETS. MOYER ALSO ASSERTED THAT THE MATTER CAN
NOW BE RESOLVED SATISFACTORILY ONLY BY APPLICATION OF
"PRESSURE" ON INFONAC, CNI, AND ESSO FROM "SOURCES IN THE
UNITED STATES." THURMOND OFFICE FORWARDED MOYER'S LETTER
TO DEPARTMENT FOR COMMENT, WITHOUT REQUESTING ANY SPECIFIC

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ACTION. LETTER BEING POUCHED TO YOU SEPARATELY, TOGETHER

WITH SECOND LETTER FROM REPRESENTATIVE BOB WILSON TO OPIC
PRESIDENT MAYS ON SAME SUBJECT.

2. FOLLOWING RECEIPT OF LETTERS, EMBASSY IS REQUESTED TO
REVIEW MOYER'S CHARGES AND EVALUATE NEED FOR AND UTILITY
OF FURTHER USG INTERVENTION ON HIS BEHALF. SITUATION IS

OBVIOUSLY EXCEEDINGLY COMPLICATED, AS EMBASSY POINTED
OUT IN REFTEL C. WHILE YOUR PREVIOUS REPORTING ON THIS
MATTER HAS BEEN VERY USEFUL, CASE WOULD NOW SEEM TO
REQUIRE MORE COMPREHENSIVE AND DETAILED STUDY. IN PARTI-
CULAR, WE WOULD GREATLY APPRECIATE YOUR VIEWS ON THE
FOLLOWING POINTS: A) VALIDITY OF MOYER'S BASIC CHARGE
THAT HE HAS SUFFERED DE FACTO EXPROPRIATION WITHOUT
APPROPRIATE COMPENSATION; B) AVAILABILITY OF DUE PROCESS
CHANNELS IN NICARAGUA FOR PURSUIT OF HIS CLAIM, AND EX-
TENT TO WHICH THESE HAVE BEEN EXHAUSTED; C) PRESENT
PROSPECTS FOR RESOLUTION OF MOYER'S CLAIM ON SATISFACTORY
TERMS; D) ACTIONS TAKEN PREVIOUSLY BY EMBASSY ON MOYER'S
BEHALF; AND E) ADDITIONAL STEPS EMBASSY MIGHT TAKE AND
THEIR PROBABLE EFFECT ON OUTCOME OF CASE.

3. FYI. MOYER HAS NOT YET CONTACTED THE DEPARTMENT
DIRECTLY. KISSINGER

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